

03/14/02



JC963 U.S. PTO

CONTINUING PATENT APPLICATION TRANSMITTAL
(for Continuing Applications under 37 C.F.R. §1.53(b))

Attorney Docket No. 7374/72586

First Named Inventor or Application Identifier:
STANGEL et al.

J1017 U.S. PTO
10/074051
03/14/02

Box PATENT APPLICATION)
Commissioner of Patents and Trademarks)
ATTENTION: Assistant Commissioner for Patents)
Washington, D.C. 20231)

Sir:)

This is a request under 37 C.F.R. §1.53(b) for)
filing a:)

☐ Continuation application,)

☒ Divisional application,)

☐ Continuation-in-Part application,)

February 14, 2002

of pending prior application number 09/391,377, filed on September 8, 1999 by
inventor(s) Ivan STANGEL and Jingwei XU for A Curing Method and Material
Compositions Having Dental And Other Applications.

1. ☐ This is a continuation or divisional application. Enclosed is a copy of the prior application as originally filed, including specification, claims, drawings, and oath or declaration.

- or -

- ☒ Enclosed is a patent application (for continuation, divisional, or continuation-in-part applications) containing:

☐ 22 pages of the specification (including claims).

☐ sheet(s) of drawings. ☐ Formal ☐ Informal

2. ☐ Amend the specification by inserting before the first line the sentence: --This is a ☐ continuation, ☐ division, ☐ continuation-in-part, of prior application number , filed , which is hereby incorporated herein by reference in its entirety.-- The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under paragraph 3 below, is considered as being part of the disclosure of the accompanying application, and is hereby incorporated by reference therein.
3. ☒ A copy of the executed Oath or Declaration filed in the prior nonprovisional application is enclosed.

The PTO did not receive the following
listed item(s) page 21, 22 of Claims

4. ☐ Inventorship:
- ☐ A newly-executed Oath or Declaration and Power of Attorney is enclosed (for continuation-in-part applications, or for continuation or divisional applications naming an inventor not named in the prior application) (§1.63(a), (d)(5) and (e)).
 - ☐ Because this application is being filed by fewer than all of the inventors named in the prior application, delete the following inventor(s) named in the prior nonprovisional application (37 C.F.R. §1.63(d)(1)(2)):

 - ☐ The names of persons believed to be the actual inventors are set forth in the enclosed unexecuted Oath or Declaration and Power of Attorney (§1.41(a) and §1.53(b)).
5. ☒ An Assignment of the invention to BioMat Sciences, Inc., and cover sheet are enclosed.
- ☒ Please charge our Deposit Account 06-1135 under Order No. 7374/72586 the amount of \$40.00 to cover the fee for recording the assignment.
6. ☒ The prior application is assigned of record to BioMat Sciences, Inc..
7. ☒ Small Entity Status (37 C.F.R. §1.28(a)(2)):
- ☒ Applicant(s) assert entitlement to Small Entity Status.
 - ☐ Status as a small entity is not claimed.
8. ☐ A 37 C.F.R. §3.73(b) statement is enclosed where an assignee seeks to take action.
9. ☒ A preliminary amendment is enclosed.
10. ☐ Drawings:
- ☐ Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file. (May be used only if signed by person authorized by §1.138 and before payment of base issue fee.)
 - ☐ New formal drawings are enclosed.
 - ☐ Informal drawings are enclosed.
11. ☒ A separate written request under 37 C.F.R. §1.136(a)(3), which is a general authorization to treat any concurrent or future reply requiring a petition for an extension of

time under 37 C.F.R. §1.136(a) for its timely submission as incorporating a petition for an extension of time for the appropriate length of time, is enclosed.

12. ☐ An Information Disclosure Statement is enclosed.
- ☒ A Form PTO-1449 is enclosed.
- ☐ _____ References (copies) listed on the Form PTO-1449 are enclosed.
13. ☐ A Computer Program Listing Appendix is enclosed.
- ☐ A Transmittal Cover Letter for Computer Program Listing Appendix is enclosed.
- ☐ Two (2) Compact Discs are enclosed.
14. ☐ A Nucleotide and/or Amino Acid Sequence Submission is enclosed.
- ☐ A Computer Readable Copy is enclosed.
- ☐ A Paper Copy (Identical to Computer Copy) is enclosed.
- ☐ A Statement Verifying Identity of above Copies is enclosed.
15. ☒ A Return Receipt Postcard is enclosed (MPEP §503).
16. ☐ Priority of application number _____ filed on _____ in _____ is claimed under 35 U.S.C. §119.
- ☐ The certified copy of the priority document has been filed in prior application number _____, filed _____.
- ☐ A certified copy of the priority document is enclosed.
17. ☒ Power of Attorney:
- ☒ The power of attorney in the prior application is to:
- ☒ Kendrew H. Colton, Registration No. 30,368
FITCH, EVEN, TABIN & FLANNERY
Suite 401L
1801 K Street, N.W.
Washington, D.C. 20006-1201
and other members of the firm.
- ☐ Customer Number 22242.
- ☐ The power appears in the original papers in the prior application.
- ☐ Since the power does not appear in the original papers in the prior application, a copy of the power in the prior application is enclosed.

18. ☒ Cancel in this application original claims 2-19 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
19. ☒ The filing fee is calculated below:

Fee Calculation for Claims as Filed in the Prior Application,
Less Any Claims Cancelled by Amendment

Basic Utility Fee					\$740.00	\$	740.00
Independent Claims	<u>1</u>	-	<u>3</u>	=	<u>0</u>	x	\$ 84.00 = \$ 0.00
Total Claims	<u>20</u>	-	<u>20</u>	=	<u>0</u>	x	\$ 18.00 = \$ 0.00
Fee for Multiply Dependent Claims					\$280.00		
or							
Basic Design Fee					\$330.00		
					Total Filing Fee	\$	740.00
<input checked="" type="checkbox"/> Applicant(s) assert entitlement to Small Entity Status, reducing the Filing Fee by half to:						\$	370.00

20. ☐ A check in the amount of \$_____ to cover the filing fee is enclosed.
21. ☒ Charge \$370.00 (small entity fee) to Deposit Account No. 06-1135 under Order No. 7374/72586.
22. ☐ The payment of the Filing Fee is to be deferred until the Declaration is filed. Do not charge our Deposit Account.
23. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required in this application under 37 C.F.R. §§1.16-1.17 during its entire pendency, or credit any overpayment, to Deposit Account No. 06-1135. Should no proper payment be enclosed herewith, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1135 under Order No. 7374/72586. A duplicate copy of this request is enclosed.
24. ☐ Also enclosed:

25. ☐ Address all future communications to Customer Number 22242.

February 14, 2002
Date

Kendrew H. Colton
Registration No. 30,368
☒ Attorney or agent of record
☐ Filed under §1.34(a)

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